

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION

ELOIS P. RUSSELL,

Claimant,

v.

MICHAEL J. ASTRUE, Commissioner
of Social Security,

Respondent.

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1:07-CV-157 (WLS)

ORDER

Before the Court is a Recommendation from United States Magistrate Judge G. Mallon Faircloth (Doc. No. 15), filed August 28, 2008. It is recommended that the Commissioner's decision to deny Claimant's application for social security benefits be **AFFIRMED**. Claimant has filed a timely objection. (Doc. No. 16).

Claimant's objection raises the issues and arguments raised before the Magistrate Judge. The Magistrate Judge addressed said arguments in his recommendation and found in favor of the Commissioner. Specifically, the Magistrate Judge addressed the issues of residual function capacity in relation to Claimant's alleged multiple impairments, the Claimant's alleged uncontrolled hypertension and obesity, and the ALJ's credibility determinations of Claimant's subjective allegations of pain and other testimony. The Magistrate Judge made findings of fact and conclusions of law. Upon review the Court agrees with the Magistrate Judge's recommendations. Accordingly, the Claimant objection (Doc. No. 16) is **OVERRULED**.

Upon full consideration of the record, the Court finds that said Recommendation (Doc. No. 15) should be, and hereby is, **ACCEPTED, ADOPTED** and made the order of this Court

for reason of the findings made and reasons set out therein, and for reason of the findings and reasons set out herein.. Therefore, the Commissioner's decision to deny Claimant's application for social security benefits is **AFFIRMED**.

SO ORDERED, this 30th day of September, 2008.

/s/W. Louis Sands
W. Louis Sands, Judge
United States District Court